

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SUSAN P. GRABOWSKI,)
Plaintiff(s),)
v.)
COMMISSIONER OF SOCIAL SECURITY,)
Defendant(s).)
Case No. 2:16-cv-01654-JAD-NJK
REPORT AND RECOMMENDATION

On March 6, 2017, the Court ordered Plaintiff to file a motion to reverse and/or remand by April 5, 2017. Docket No. 13 at 2. Plaintiff did not do so. On June 14, 2017, the Court ordered Plaintiff to file a motion to reverse and/or remand by July 14, 2017. Docket No. 16. The order warned that “[f]ailure to comply with this order will result in the recommended dismissal of this case.” *Id.* To date, Plaintiff has not filed that motion, has not requested an extension of the deadline to do so, and has not otherwise prosecuted this case.

The willful failure of Plaintiff to comply with the Court's orders is an abusive litigation practice that has interfered with the Court's ability to hear this case, delayed litigation, disrupted the Court's timely management of its docket, wasted judicial resources, and threatened the integrity of the Court's orders and the orderly administration of justice. Sanctions less drastic than dismissal are unavailable because Plaintiff has willfully refused to comply with multiple Court orders despite the warning that sanctions including dismissal may result.

1 Accordingly, **IT IS RECOMMENDED** that this case be dismissed with prejudice.
2
3 DATED: December 21, 2017

4 
5
6
7 NANCY J. KOPPE
8 United States Magistrate Judge

9
10 **NOTICE**
11
12
13
14
15

16 Pursuant to Local Rule IB 3-2 any objection to this Report and Recommendation must be in
17 writing and filed with the Clerk of the Court within (14) days after service of this Notice. The Supreme
18 Court has held that the courts of appeal may determine that an appeal has been waived due to the failure
19 to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985), *reh'g denied*, 474
20 U.S. 1111 (1986). This Circuit has also held that (1) failure to file objections within the specified time
21 and (2) failure to properly address and brief the objectionable issues waives the right to appeal the
22 District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*,
23 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir.
24 1983).
25
26
27
28